

T H E SUPREMACY DEBATED:

O R,

The Authority of Parliaments (formerly owned by *Romish* Clergy)
to be the Supreamest Power.

IN case the Owning of the Authority of a Parliament to be the Supreamest Power in a Kingdom be traitorous or heretical amongst Papists, *Rome's* own Church was the first Founder of this Doctrine, and frequently practised the same, both before, and until the Reformation of Religion within this Realm:

For *Henry de Bracton*, one of their famous Lawyers of this Nation, who flourish'd Anno 1250. in the Reign of King *Henry III.* resolves thus:

The King hath a Superior, to wit, God; also the Law, by which he is made a King; likewise his Court, namely, the Earls and Barons; because they are called Comites, as being the King's Fellows (or Companions:) And he who hath a Fellow (or Associate) hath a Master. And therefore, if the King shall be without a Bridle, that is, without Law, they ought to impose a Bridle on him, unless they themselves, with the King, shall be without Bridle; and then the Subject shall cry out, and say, O Lord Jesus Christ, do thou bind their Jaws with Bitt and Bridle, &c.

H. Bracton's Words touching the Supream Power.

Here is a true Resolution, that the Law, with the Earls and Barons assembled in Parliament, are above the King, and ought to bridle him when he exorbitates from the Law; which this famous Lawyer also seconds, in some sort, *lib. 3. cap. 9. fol. 107.*

This Law was so authentick in those Days, and in After-Ages, that in their great Council of *Basil*, Anno 1431. when this mighty Question was debated, whether a Pope were above a General Council, or a Council above him; at last it was resolv'd, such a Council was above the Pope; upon this Reason, among others,

'The Pope is in the Church, as a King in his Kingdom; and for a King to be of more Authority than his Kingdom, it were too absurd: Ergo, Neither ought the Pope to be above the Church. In every well order'd Kingdom it ought especially to be desired, that the whole Realm should be of more Authority than the King; which, if it happen'd contrary, were not to be called a Kingdom, but a Tyranny. And like as oftentimes Kings which do wickedly govern the Commonwealth, and express Cruelty, are deprived of their Kingdoms; even so it is not to be doubted, but that the Bishop of *Rome* may be deposed by the Church; that is to say, by the General Council. At the Beginning (as *Cicero*, in his Offices, saith) it is certain, there was a Time when as the People lived without Kings: But afterwards, when Lands and Possessions began to be divided, according to the custom of every Nation, then were Kings ordained, for no other Cause, but only to execute Justice; for when, at the Beginning, the Common People were oppress'd by rich and mighty Men, they ran by and by to some virtuous and good Man, which should defend the Poor from Injury, and ordain Laws whereby the Rich and Poor might dwell together. But when as yet, under the Rule of Kings, the Poor were oftentimes oppress'd, Laws were ordained and instituted, by which should judge, neither for Hatred, nor Favour; and give like Ear to the Poor, as Rich: Whereby we understand and know, not only the People, but also the King to be subject to the Law; for if we do see a King to contemn and despise the Laws, violently rob and spoil his Subjects, deflower Virgins, ravish Matrons, and do all things licentiously and temerously; do not the Nobles of the Kingdom assemble together, deposing him from his Kingdom, set up another in his place, which shall swear to rule and govern uprightly, and be obedient unto the Laws? Verily, As Reason doth persuade, even so doth the Use thereof also teach us. It seemeth also agreeable unto Reason, that the same should be done in the Church, that is in the Council; which is done in any Kingdom. And so is this sufficiently apparent, that the Pope is subject unto the Council.

The Reason that was given at the Council of Basil, for a General Council to be above the Pope, serveth for a Parliament to be above a King.

Thus the Bishop of *Bergen*, Ambassador of *Spain*, the Abbot of *Scotland*, and *Thomas de Cisterciensis*, a famous Divine, reasoned in this Council, which voted with them.

Here you have a full Resolution of this great Council (which the Papists call a General One, being approved of by the *Grecian* and *Roman* Emperors, and most Christian Kings and States, and our King amongst others) That the Kingdom, in Parliament assembled, is above the King, as a General Council is paramount the Pope; which *Aeneas Silvius* (who afterwards became Pope) and *Savins* (one of *Rome's* Jesuits) do manifest by these five Reasons.

First, Because Kings were first created and instituted by their Kingdoms and People; not their Kingdoms and People by them.

Secondly, Because they were ordained only for Kingdoms and People's Service and Welfare, not their Kingdoms and People for them.

Thirdly, Because their Kingdoms and People, as they at first created, so they still limit and confirm their Royal Jurisdiction by Laws; to which they are, and ought to be subject.

Fourthly, Because they oblige them by solemn Oath to rule accordingly, and to be obedient unto the Laws.

Lastly, Because they have power to depose their Kings, in case they contemn the Laws, and violently rob and spoil their Subjects.

Five Reasons showing a Parliament to be above a King.

Now it is to be wonder'd why Papists will blame Protestants to defend their Laws and Liberties, this being their own Doctrine, concerning the Power, Superiority and Privilege of Parliaments, Peers and Kingdoms over their Kings; they having least ground, of all others, to tax our Lords and Commons with Usurpation upon the Crown, it having been the ancient Course of this Kingdom, to examine the Acts of their Kings and Princes, whether they ruled according to the Laws established, or no.

*Kings before
the Conquest
deposed for ir-
regular Go-
vernment.*

For instance sake, we shall give you a short Touch, Anno 454. King *Vortigern*, when he had reigned six Years, for his Negligence, and evil Government (for which *Wostine*, then Archbishop of London, told him, he had endanger'd both his Soul and Crown) was deposed from his Crown by his Subjects (the Britains) general Consent, imprison'd; and his Son *Vortimer* chosen, and crowned King in his stead: After whose untimely Death (being poison'd by *Ruena*) *Vortigern* was again restored by them to the Crown; yet, at last, for his notorious Sins, by the just, revenging Hand of God, consigned to Ashes by Fire, kindled by *Angelus* and *Oier*, as Heaven's Ministers to execute its Wrath.

Sigibert King of the *West-Saxons*, setting aside all Laws, and Rules of true Piety, wallowing in all sensual Pleasures, using Exactions and Cruelties upon his Subjects, and slaying the Earl *Cumbra*, his faithful Counsellor, for admonishing him friendly of his vicious Life; the Peers and Commons thereupon, seeing their State and Lives in danger, and the Laws broken by him, assembled and rose up in Arms against him, and deposed him; who after died in a Wood, where he fled, being slain by his Swine Herd: So *Kenwolve* was made King in his stead, Anno 756.

Osfred King of *Northumberland*, for his evil Government, was expelled by his Subjects, and deprived of all Kingly Authority, in the Year 789.

So *Ethelred* (the Son of *Melo*) his next Successor, being revoked from Exile, and restored to the Crown, of which he was formerly deprived; thereupon murdering divers of his Nobles and Subjects, to secure his Crown, did so offend his Subjects thereby, that in the Year 794. they rose up in Arms against him, and slew him at *Cobbe*.

Ceolwolve King of *Merica*, Anno 820. (after one Year's Reign) was, for his Mis-Government, expelled by his People: abandoning his Crown and Coumptry, for the safety of his Life.

The Crown of *England* hath oftentimes been settled upon those, who were not next Heirs to it: Witness the Electing and Crowning of *Edward*, who was illegitimate; and putting by *Ethelred*, the right Heir, after *Edgar's* Decease, Anno 975.

The Electing and Crowning of *Cnutus*, a meer Foreigner, in opposition to *Edward*, the right Heir to King *Ethelred*, Anno 1016.

Also the Electing of *Harold* and *Hardiknut*, both elected and crowned Kings successively, without Title; *Edmond* and *Alfred*, the right Heirs, being dispossessed; the latter imprisoned, and tormented to death, An. 1036. & 1040. yet after *Hardiknut's* Decease, *Edward* (surnamed the Confessor) was chosen King by Consent of Parliament; and the *English* Nobility, upon the Death of King *Harold*, enacted, that none of the *Danish* Blood should any more reign over them.

After this King's Death, *Edgar Etheling*, who had the best Title, was rejected, and *Harold* elected and crowned King.

*Kings after
the Conquest
not success-
fully succeeding.*

So, after *William* the Conqueror's Decease, Anno 1087. *Robert*, the elder Brother, was put aside, and *William Rufus* elected and crowned.

After whose Death, *Henry I.* his younger Brother (though not next Heir) was elected King by the Clergy, Nobles and Commons (who refused to admit of any King, but with Capitulations and Caveats to their own liking) upon fair Promises for reforming bad and rigorous Laws, Remission of Taxes exacted on the Subjects, and Punishments of the chief Causes of them; and a solemn Oath to frame good Laws, and ratifie *St. Edward's* Laws: All which he really performed.

So, after the Death of *Richard I.* *John* Earl of *Murton* was elected and crowned King, his Nephew *Arthur*, the right Heir, disinherited.

He dying, his Son *Henry III.* was elected and crowned, and *Lewis* (made King in his Father's Life by the Barons) removed.

*King Edw. II.
deposed.*

Edward II. their natural King of *England*, was deposed by Bishops, Peers and Commons in Parliament, Anno 1327.

*King Rich. II.
deposed.*

King *Richard II.* for sundry Misdemeanours objected against him in Parliament, and for the Breach of his Coronation-Oath, was deposed by Parliament, and *Henry IV.* placed in his stead, Anno 1392.

*King, Queen
and Prince of
Wales put
aside by Par-
liament.*

Henry VI. Queen *Margaret*, and Prince *Edward* their Son, were by a Parliament put by, and *Edward IV.* made King: After which, King *Henry* was by another Parliament re-crowned, and re-established in his Kingdom, and *Edward IV.* declared a Traitor: But *Edward* (not long after) taking King *Henry* Prisoner, caused him to be murdered in the Tower. Another Parliament, Anno 1472. abrogated King *Henry's* Laws, and re-established King *Edward*.

All which have Parliaments (before the Reformation in this Kingdom) done, none daring to question their Authority, but complying with them.

By W. R. Gent.

with Allowance.

L O N D O N,

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